**Order Type:** 

1660 Agreed Order

**Findings Order Justification:** 

N/A

**Media:** 

AIR

**Small Business:** 

No

Location(s) Where Violation(s) Occurred:

Indian Rock Gas Plant, 2186 State Highway 300, Gilmer, Upshur County Pittsburg Gas Plant, 1088 County Road 1140, Pittsburg, Camp County

Type of Operation:

Natural gas treating facility

**Other Significant Matters:** 

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: April 24, 2015

Comments Received: No

**Penalty Information** 

**Total Penalty Assessed: \$9,275** 

Amount Deferred for Expedited Settlement: \$1,854 Amount Deferred for Financial Inability to Pay: \$0

**Total Paid to General Revenue:** \$7,421 **Total Due to General Revenue:** \$0

Payment Plan: N/A

Supplemental Environmental Project ("SEP") Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications (RN100209477):

Person/CN - Satisfactory

Site/RN - High

Compliance History Classifications (RN100223783):

Person/CN - Satisfactory Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A Applicable Penalty Policy: April 2014

### **Investigation Information**

Complaint Date(s): N/A

**Complaint Information**: N/A

Date(s) of Investigation: November 12 and November 14, 2014

Date(s) of NOE(s): December 18, 2014

## Violation Information

- 1. Failed to submit a final report for Incident No. 195115 no later than two weeks after the end of the emissions event that occurred at the Indian Rock Gas Plant. Specifically, the final report was due by March 20, 2014, but was not submitted until March 26, 2014 [30 Tex. Admin. Code §§ 101.201(b) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit ("FOP") No. O3155, Special Terms and Conditions ("STC") No. 2F].
- 2. Failed to prevent unauthorized emissions at the Indian Rock Gas Plant. Specifically, the Respondent released 3,228.65 pounds ("lbs") of sulfur dioxide ("SO2"), 34.33 lbs of hydrogen sulfide ("H2S"), 18.68 lbs of carbon monoxide ("CO"), and 8.99 lbs of nitrogen oxides ("NOx") from the High Pressure Flare, Emissions Point Number ("EPN") FLR2, during an emissions event (Incident No. 195115) that occurred on March 6, 2014 and lasted seven hours and 45 minutes. This event occurred when sulfur emissions were routed to the flare as the result of an electric heater failure in the Sulfur Recovery Unit. Since the final report was submitted late, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222 [30 Tex. Admin. Code § 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. 03155, STC No. 8, and New Source Review ("NSR") Permit Nos. 24450 and PSDTX1002, Special Conditions ("SC") No. 1].
- 3. Failed to submit a final report for Incident No. 194555 no later than two weeks after the end of the emissions event that occurred at the Pittsburg Gas Plant. Specifically, the final report was due by March 8, 2014, but was not submitted until March 11, 2014 [30 Tex. Admin. Code §§ 101.201(b) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and FOP No. O2961, STC No. 2F].
- 4. Failed to prevent unauthorized emissions at the Pittsburg Gas Plant. Specifically, the Respondent released 12,355.83 lbs of SO2 and 122.82 lbs of H2S from the Sulfur Recovery Unit Thermal Oxidizer, EPN THERMOX, and 5.75 lbs of CO, 2.76 lbs of NOx, and 408.94 lbs of SO2 from the Emergency Plant Flare, EPN FLAREVT, during an emissions event (Incident No. 194555) that began on February 21, 2014 and lasted 23 hours. This event occurred when the Plant experienced an emergency shutdown related

to a Programmable Logic Controller ("PLC") error. Since the final report was submitted late, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222 [30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. O2961, STC No. 7, and NSR Permit No. 8986, SC No. 1].

# Corrective Actions/Technical Requirements

### **Corrective Action(s) Completed:**

The Respondent has implemented the following corrective measures:

- a. On February 22, 2014, corrected the PLC error in order to prevent a recurrence of emissions events due to the same cause as Incident No. 194555;
- b. On March 6, 2014, purchased and installed a new heater in order to prevent a recurrence of emissions events due to the same cause as Incident No. 195115;
- c. By March 26, 2014, submitted the final emissions event reports for Incident Nos. 194555 and 195115; and
- d. By January 19, 2015, reviewed 30 TEX. ADMIN. CODE §§ 101.201 and 101.211 with appropriate staff and obtained signatures upon completion of review, and created an internal spreadsheet to monitor the status of State of Texas Environmental Electronic Reporting System submittals to provide a due date for a final report.

# **Technical Requirements:**

N/A

# Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A Hearing Date(s): N/A

Settlement Date: N/A

### **Contact Information**

**TCEO Attorney:** N/A

TCEQ Enforcement Coordinator: Farhaud Abbaszadeh, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-0779; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456

TCEQ SEP Coordinator: N/A

**Respondent:** Julia Knezek, Environmental, Health & Safety Field Manager, Enbridge G & P (East Texas) L.P., 2020 Bill Owens Parkway, Suite 100, Longview, Texas 75604 Charles W. Raiborn III, General Manager, Enbridge G & P (East Texas) L.P., 2020 Bill Owens Parkway, Suite 100, Longview, Texas 75604

**Respondent's Attorney:** N/A

#### Penalty Calculation Worksheet (PCW) Policy Revision 4 (April 2014) PCW Revision March 26, 2014 Assigned 5-Jan-2014 PCW 14-Jan-2015 Screening 14-Jan-2015 **EPA Due** RESPONDENT/FACILITY INFORMATION Respondent Enbridge G & P (East Texas) L.P. Reg. Ent. Ref. No. RN100209477 (Indian Rock Gas Plant) Facility/Site Region 5-Tyler Major/Minor Source Major CASE INFORMATION Enf./Case ID No. 49917 No. of Violations 2 Docket No. 2015-0062-AIR-E Order Type 1660 Government/Non-Profit No Media Program(s) Air Multi-Media Enf. Coordinator Farhaud Abbaszadeh EC's Team Enforcement Team 4 Admin. Penalty \$ Limit Minimum Maximum \$25,000 **Penalty Calculation Section** TOTAL BASE PENALTY (Sum of violation base penalties) \$4,000 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. Compliance History 0.0% Enhancement Subtotals 2, 3, & 7 \$0 No adjustment for compliance history. Notes Culpability No 0.0% Enhancement Subtotal 4 \$0 The Respondent does not meet the culpability criteria. Notes Good Faith Effort to Comply Total Adjustments Subtotal 5 -\$962 **Economic Benefit** \$0 0.0% Enhancement\* Total EB Amounts Estimated Cost of Compliance Capped at the Total EB \$ Amount SUM OF SUBTOTALS 1-7 Final Subtotal \$3,038 OTHER FACTORS AS JUSTICE MAY REQUIRE \$0 Adjustment Reduces or enhances the Final Subtotal by the indicated percentage.

Final Penalty Amount

Final Assessed Penalty

Reduction Adjustment

20.0%

\$3,038

\$3,038

-\$607

\$2,431

Notes

Notes

**PAYABLE PENALTY** 

DEFERRAL

STATUTORY LIMIT ADJUSTMENT

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Deferral offered for expedited settlement.

Screening Date 14-Jan-2015

Docket No. 2015-0062-AIR-E

Policy Revision 4 (April 2014) PCW Revision March 26, 2014

**Respondent** Enbridge G & P (East Texas) L.P. (Indian Rock Gas Plant)

Case ID No. 49917

Reg. Ent. Reference No. RN100209477

Media [Statute] Air

Enf. Coordinator Farhaud Abbaszadeh

**Compliance History Worksheet** 

	ry Site Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	. 0%
	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
		ase Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Per	centage (Sub	total 2)
epeat Violator ( No		centage (Sub	total 3)
<u> </u>	ory Person Classification (Subtotal 7)	3-1	,
Satisfactory		centage (Sub	total 7)
ompliance Histo		_ <b>-</b>	-
			* .
Compliance History Notes	No adjustment for compliance history.		
	Total Compliance History Adjustment Percentage (S History Adjustment	Subtotals 2, 3	3, & 7) 🗀

	ng Date 14-Jan-2015		Docket No. 2019	1 1	, PCV
Case	ondent Enbridge G & F ID No. 49917	(East Texas) L.P.	(Indian Rock Gas Pl	lant) ····································	Policy Revision 4 (April 2014) PCW Revision March 26, 2014
	nce No. RN100209477 tatute] Air				
Enf. Coor	dinator Farhaud Abbas	zadeh 1			
	Number 1 30 Tex. Admir	. Code §§ 101.201(b	) and 122,143(4). Te	x. Health & Safety C	ode 8
Rul	e Cite(s) 382.085(b), a	ind Federal Operating	Permit ("FOP") No. Oons ("STC") No. 2F	3155, Special Terms	and
		Conditi	315 ( 31C ) No. 21		
Violation De		mit a final report for d of the emissions ev			
		ch 20, 2014, but was			
				Base Pe	nalty \$25,000
				Dase re	#25,000
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<b>GR</b>	Actual	Moderate Min	Or		
	Potential		Perd	cent 0.0%	eragina (S. 1907)
>>Programmatic   Fal	Matrix) sification Major	Moderate Min	or .		
		x	Perd	cent 1.0%	Barana and Alice
Matrix					
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			Adjustn	nent \$2	4,750
			***************************************	1	\$250
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	umber of Violation Events		6 Num	ber of violation days	
And a company of	<b>■</b> ************************************		<u> </u>	ber or violation days	v. est friction
And the second s	daily weekly				***************************************
	k only one quarterly			Violation Base Pe	nalty \$250
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- ·	single event	x			Abanani (Incompring)
The state of the s					
The state of the s		One single event is	recommended.		
Good Faith Efforts	to Comply	10.0%		. Redu	ction \$25
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	N/A	∭(mark wi The Respondent	th x) completed corrective	actions by	· · · · · · · · · · · · · · · · · · ·
* Commission of the Commission	Notes	January 19, 2015, a	fter the December 18 of Enforcement.		
e constant de la cons				Violeties C. L	total total
E	ED\ 602 46		e.	Violation Sub	-
Economic Benefit (		)'I	•	lutory Limit Tes	
	Estimated EB Amount	This will be a second		tion Final Penalty 1	
		inis violation Fi	nal Assessed Penali	ty (adjusted for lin	nits) \$225

	E	conomic	Benefit	Work	(sneet		
Respondent	Enbridge G &	P (East Texas) L.I	P. (Indian R	lock Gas P	Plant)	The same of the control of the same of the control	
Case ID No.							
Reg. Ent. Reference No.		7					
Media						Percent Interes	Years of
Violation No.	1						Depreciation
						5.0	
	Item Cost	Date Required	Final Date	Yrs In	iterest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
			ana di carana di Car				
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land		-		0.00	\$0		\$0 \$0
Record Keeping System	61 500	30 May 2014	10 100 2015	0.00	\$0 \$63		\$63
Training/Sampling	\$1,500	20-Mar-2014	19-Jan-2015	0.00	\$63 \$0	20.00	\$03 \$0
Remediation/Disposal							
Permit Costs Other (as needed)			al emissions ev	0.00 0.02 ent report	\$0 \$0 for Incident No	Philade 1/2 lenk at 0. 195115, review 3	\$0 \$0 30 Tex. Admin.
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Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel nspection/Reporting/Sampling	Estimated c Code §§ 10 and create Reporting Sys	ost to submit a fin 1.201 and 101.21 e an internal sprea stem submittals to final report	al emissions ev 1 with appropri adsheet to moni o provide a due was due. The i	0.00 0.02 ent report ate staff a tor the stadde for a Final Date:  entering 0.00 0.00 0.00	\$0 \$0 for Incident Nond obtain signatus of State of final report. T s are the dates item (except \$0 \$0 \$0	atures upon comple Texas Environmen he Dates Required of compliance. for one-time avo \$0 \$0 \$0	\$0 \$0 30 Tex. Admin. tion of review, tal Electronic are the date the ided costs)
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Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment	Estimated c Code §§ 10 and create Reporting Sys	ost to submit a fir 1.201 and 101.21 e an internal spreastem submittals to final report IZE [1] avoided	al emissions ev.  1 with appropriations to monitor provide a due was due. The lacosts before a lacost be	0.00 0.02 ent report ate staff ator the stadate for a Final Date: entering 0.00 0.00 0.00 0.00	\$0 \$0 for Incident Nond obtain signatus of State of final report. T s are the dates item (except \$0 \$0 \$0 \$0	name of all the control of the contr	\$0 \$0 \$0 30 Tex. Admin. tion of review, tal Electronic are the date the ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel (Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated c Code §§ 10 and create Reporting Sys	ost to submit a fir 1.201 and 101.21 e an internal spreastem submittals to final report IZE [1] avoided	al emissions ev.  1 with appropriations to monitor provide a due was due. The lacosts before a lacost be	ent report ate staff a tor the sta date for a Final Date: entering 0.00 0.00 0.00 0.00 0.00	\$0 \$0 for Incident Nond obtain signa atus of State of final report. T s are the dates item (except \$0 \$0 \$0 \$0 \$0	this in a second of the second	\$0 \$0 30 Tex. Admin. tion of review, tal Electronic are the date the detector of the detector
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Screening Date		Docket No. 2015-0062-AIR-E	
Responden Case ID No	Enbridge G & P (East Texas) L.P.	(Indian Rock Gas Plant)	Policy Revision 4 (April 2014)
Reg. Ent. Reference No			PCW Revision March 26, 2014
Media [Statute	] Air		
Enf. Coordinato Violation Numbe	Farhaud Abbaszadeh		
	·	), 116.115(b)(2)(F) and (c), and 122.	143(4) Tev
	Health & Safety Code § 382.085(	(b), FOP No. 03155, STC No. 8, and N	lew Source
	Review Permit Nos. 24450	and PSDTX1002, Special Conditions I	lo. 1
		missions. Specifically, the Responder lioxide, 34.33 lbs of hydrogen sulfide,	
		of nitrogen oxides from the High Press	
Violation Descriptio	Emissions Point Number FLR2, duri	ng an emissions event (Incident No. lasted seven hours and 45 minutes.	
Violation Description		ere routed to the flare as the result o	
		ry Unit. Since the final report was sul	
		n asserting an affirmative defense und in. Code § 101.222.	lei 30 Tex.
	i demonstrative de la companio de l Como al servicio de la companio de l		ase Penalty \$25,00
> Environmental, Propi	rty and Human Health Mat	ixed desc.	
Releas	<b>Harm</b> <b>e</b> Major Moderate Mi	inoras a martina de la comunicación	El Cartin
OR Actua		X	
Potentia	al L	Percent 15.09	6
>Programmatic Matrix			
Falsification	Major Moderate Mi	nor	en ger Her
		Percent 0.09	6
Human heal	th or the environment has been ever	sed to insignificant amounts of polluta	ate that do
Matrix not exceed to		ealth or environmental receptors as a	
Notes		tion.	
		Advictor at	\$21,250
		Aujustment	
			\$3,750
iolation Events			
Number of	Violation Events 1	1 Number of violatio	n dave
Hamber of	Violation Events 1	i violatio	ii uays
	a dally		
	weekly monthly		
mark only one with an x	quartedy X	Violation Ba	se Penalty \$3,750
mo un x	semiannual -		
	iannuali; single event		
	One averted over		
	One quarterly even	c is recommended.	
ood Faith Efforts to Con	* T. 100 T.	OV to EDPRP/Settlement Offer	Reduction \$937
	Extraordinary	or to to the property of the p	
	Ordinary x		
	N/A (mark v		<b>7</b> 1.
		npleted corrective actions on March 6 the December 18, 2014 Notice of	
	, roces E014, bling for	Enforcement.	
			4
and the second of the second o	and the same of th	Violatio	n Subtotal \$2,813
conomic Benefit (EB) fo	r this violation	Statutory Lim	t Test
Estimai	ted EB Amount	\$0 Violation Final Per	nalty Total \$2,813
my till the			-
· · · · · · · · · · · · · · · · · · ·	This violation	Final Assessed Penalty (adjusted	for limits) \$2,813

Case ID No.		P (East Texas) L.F	. (Indian R	ock Ga	s Plant)		
.case 10 No. g. Ent. Reference No.		7					
ı. Ent. Kererence No. Media		,					Years of
Media Violation No.	8					Percent Interest	Depreciation
Violation No.	2	*	-			5.0	15
	Theres Coast	Date Required	Einal Date	V	Interest Saved		EB Amount
			rmar bace	113	Anterest Saved	Olletime costs	LD Amount
Item Description	No commas or :						
Delayed Costs							
Delayeu Custs Equipment	\$23,000	6-Mar-2014	6-Mar-2014	0.00	\$0	\$0	\$0
Buildings	320.000	- V - I'W - V - I'W		0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0		\$0
Record Keeping System				0.00	\$0		\$0
Training/Sampling				0.00	\$0		\$0
Remediation/Disposal	P 410 S. G 440 S. G 610			0.00	\$0		\$0
Remediation/Disposar	100000000000000000000000000000000000000	(1) C. S. C.	ST DOMESTIC OF STREET STREET SALE.				
Permit Costs				0.00	\$0	a line	\$0
Permit Costs Other (as needed)				0.00 0.00 ater in	\$0 \$0 order to prevent	the recurrence of e	\$0 missions events
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Permit Costs Other (as needed)	due to the s	same causes as In	ident No. 1951 The Final Date	0.00 0.00 eater in 15. The	\$0 \$0 order to prevent e Date Required is date of complianc	the recurrence of er the date of the em	\$0 missions events issions event.
Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs	due to the s	same causes as In	tident No. 1951 The Final Date costs before of	0.00 0.00 eater in 15. The is the	\$0 \$0 order to prevent e Date Required is date of complianc g item (except	the recurrence of ersthe date of the eme.  for one-time avoic \$0 \$0	\$0 missions events issions event. <b>Jed costs)</b>
Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel	due to the s	same causes as In	tident No. 1951 The Final Date costs before of	0.00 0.00 eater in 15. The is the enterin	\$0 \$0 order to prevent e Date Required is date of complianc ig item (except is	the recurrence of ers the date of the em e. for one-time avoid	\$0 missions events issions event.  fed costs) \$0
Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel	due to the s	same causes as In	tident No. 1951 The Final Date costs before of	0.00 0.00 eater in 15. The is the enterin 0.00 0.00	\$0 \$0 order to prevent e Date Required is date of complianc ig item (except in \$0 \$0	the recurrence of ersthe date of the eme.  for one-time avoic \$0 \$0	\$0 missions events issions event.  fed costs) \$0 \$0
Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel pection/Reporting/Sampling	due to the s	same causes as In	cident No. 1951 The Final Date costs before o	0.00 0.00 15. The is the entering 0.00 0.00 0.00 0.00	\$0 \$0 order to prevent e Date Required is date of complianc ig item (except \$0 \$0	the recurrence of ersethe date of the eme.  for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 missions events issions event.  ied costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel section/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	due to the s	same causes as In	cident No. 1951 The Final Date costs before o	0.00 0.00 15. The is the entering 0.00 0.00 0.00 0.00	\$0 \$0 order to prevent e Date Required is date of complianc gitem (except i \$0 \$0 \$0 \$0	the recurrence of ers the date of the eme.  for one-time avoid  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$	\$0 missions events issions event.  led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel ection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	due to the s	same causes as In	cident No. 1951 The Final Date costs before o	0.00 0.00 15. The is the entering 0.00 0.00 0.00 0.00	\$0 \$0 order to prevent e Date Required is date of complianc ig item (except is \$0 \$0 \$0 \$0 \$0	the recurrence of ersethe date of the eme.  for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 missions events issions event.  ied costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Pection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	due to the s	same causes as In	cident No. 1951 The Final Date costs before o	0.00 0.00 eater in 15. The is the enterin 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 order to prevent e Date Required is date of complianc gitem (except i \$0 \$0 \$0 \$0	the recurrence of ers the date of the eme.  for one-time avoid  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$	\$0 missions events issions event.  led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Dection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	due to the s	same causes as In	cident No. 1951 The Final Date costs before o	0.00 0.00 eater in 15. The is the enterin 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 order to prevent e Date Required is date of complianc gitem (except i \$0 \$0 \$0 \$0	the recurrence of ers the date of the eme.  for one-time avoid  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$	\$0 missions events issions event.  led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Dection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	due to the s	same causes as In	cident No. 1951 The Final Date costs before o	0.00 0.00 eater in 15. The is the enterin 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 order to prevent e Date Required is date of complianc g item (except i \$0 \$0 \$0 \$0	the recurrence of ers the date of the eme.  for one-time avoid  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$	\$0 missions events issions event.  led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0

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# Compliance History Report

PUBLISHED Compliance History Report for CN603573817, RN100209477, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, CN603573817, Enbridge G & P (East

RN100209477, INDIAN ROCK GAS

Classification: SATISFACTORY

Rating: 1.81

or Owner/Operator:

Texas) L.P.

Classification: HIGH

Rating: 0.00

Regulated Entity:

**PLANT** 

**Complexity Points:** 

Repeat Violator: NO

CH Group:

03 - Oil and Gas Extraction

Location:

2186 STATE HIGHWAY 300 Gilmer, TX 75645, UPSHUR COUNTY

TCEQ Region:

**REGION 05 - TYLER** 

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER UA0156Q

**AIR NEW SOURCE PERMITS PERMIT 24450** 

AIR NEW SOURCE PERMITS AFS NUM 4845900033

**AIR NEW SOURCE PERMITS REGISTRATION 46493** 

**AIR OPERATING PERMITS PERMIT 3155** 

AIR NEW SOURCE PERMITS ACCOUNT NUMBER UA0156Q AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1002

**AIR EMISSIONS INVENTORY ACCOUNT NUMBER** 

UA0156Q

Compliance History Period: September 01, 2009 to August 31, 2014

Rating Year: 2014

Rating Date: 09/01/2014

**Date Compliance History Report Prepared:** January 09, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 09, 2010 to January 09, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Farhaud Abbaszadeh

Phone: (512) 239-0779

#### Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period?

YES

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

3) If **YES** for #2, who is the current owner/operator? N/A NO

4) If YES for #2, who was/were the prior

N/A

owner(s)/operator(s)?

5) If **YES**, when did the change(s) in owner or operator N/A

occur?

# Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

**B.** Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

January 12, 2010 (786368)Item 1 February 18, 2010 (788634)Item 2 Item 3 August 26, 2010 (850225)(884899)Item 4 January 11, 2011

January 26, 2011	(887284)
June 15, 2011	(924139)
June 24, 2011	(934135)
February 14, 2012	(984049)
May 21, 2012	(1003075)
December 04, 2012	(1045905)
June 17, 2013	(1094089)
August 05, 2013	(1105261)
October 11, 2013	(1121564)
October 29, 2013	(1121565)
December 31, 2013	(1134554)
February 27, 2014	(1150473)
October 28, 2014	(1167058)
	June 15, 2011 June 24, 2011 February 14, 2012 May 21, 2012 December 04, 2012 June 17, 2013 August 05, 2013 October 11, 2013 October 29, 2013 December 31, 2013 February 27, 2014

#### E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

- F. Environmental audits:
- G. Type of environmental management systems (EMSs):  $N/\Delta$
- H. Voluntary on-site compliance assessment dates:  $\ensuremath{\mathsf{N}}\xspace/\ensuremath{\mathsf{A}}$
- I. Participation in a voluntary pollution reduction program:  $_{\mbox{\scriptsize N/A}}$
- J. Early compliance:

N/A

**Sites Outside of Texas:** 

N/A

#### Penalty Calculation Worksheet (PCW) Policy Revision 4 (April 2014) PCW Revision March 26, 2014 Assigned 5-Jan-2015 PCW 14-Jan-2015 Screening 14-Jan-2015 **EPA Due RESPONDENT/FACILITY INFORMATION** Respondent Enbridge G & P (East Texas) L.P. (Pittsburg Gas Plant) Reg. Ent. Ref. No. RN100223783 Facility/Site Region 5-Tyler Major/Minor Source Major **CASE INFORMATION** Enf./Case ID No. 49917 No. of Violations 2 Docket No. 2015-0062-AIR-E Order Type 1660 Media Program(s) Air Government/Non-Profit No Multi-Media Enf. Coordinator Farhaud Abbaszadeh EC's Team Enforcement Team 4 Admin. Penalty \$ Limit Minimum \$0 Maximum \$25,000 **Penalty Calculation Section** TOTAL BASE PENALTY (Sum of violation base penalties) \$7,750 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. **Compliance History** Subtotals 2, 3, & 7 \$387 Enhancement for one NOV with same/similar violations. Notes 0.0% Enhancement Culpability No \$0 The Respondent does not meet the culpability criteria. Notes Good Faith Effort to Comply Total Adjustments -\$1,900 Economic Benefit 0.0% Enhancement\* Subtotal 6 \$0 Total EB Amounts Capped at the Total EB \$ Amount **Estimated Cost of Compliance** SUM OF SUBTOTALS 1-7 Final Subtotal \$6,237 OTHER FACTORS AS JUSTICE MAY REQUIRE \$0 Adjustment Reduces or enhances the Final Subtotal by the indicated percentage.

Final Penalty Amount

Final Assessed Penalty

20.0%

\$6,237

\$6,237

-\$1,247

\$4,990

Notes

Notes

**PAYABLE PENALTY** 

DEFERRAL

STATUTORY LIMIT ADJUSTMENT

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Deferral offered for expedited settlement.

Screening Date 14-Jan-2015

Docket No. 2015-0062-AIR-E

PCW

Respondent Enbridge G & P (East Texas) L.P.

(Pittsburg Gas Plant)

Policy Revision 4 (April 2014) PCW Revision March 26, 2014

Case ID No. 49917

Reg. Ent. Reference No. RN100223783
Media [Statute] Air

Enf. Coordinator Farhaud Abbaszadeh

**Compliance History Worksheet** 

Component	ry Site Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.	
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1	5%	
	Other written NOVs	0	0%	
	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	0	0%	
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%	. " .
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%	
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%	
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%	
Emissions	Chronic excessive emissions events (number of events)	0	0%	
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		0%	
Audis	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%	•
		ease Enter Yes or No		
	Environmental management systems in place for one year or more	No	0%	
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	
	Participation in a voluntary pollution reduction program	No	0%	
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	
	Adjustment Per	rcentage (Sub	total 2) [	59
eat Violator (				
No	Adjustment Per	rcentage (Sub	total 3) [	09
npliance Histo	ry Person Classification (Subtotal 7)		r	
Satisfactory	Performer Adjustment Per	centage (Sub	total 7)	09
npliance Histo	ry Summary			
Compliance History Notes	Enhancement for one NOV with same/similar violations.			
l Compliance I	Total Compliance History Adjustment Percentage (S History Adjustment Final Adjustment Percenta		-	5% 5%

	Date 14-Jan-2015	Docket No. 2015-0062-AIR-E	PCW,
	ident Enbridge G & P (East Texas) L.P.  D No. 49917	(Pittsburg Gas Plant)	Policy Revision 4 (April 2014)
Reg. Ent. Referenc			PCW Revision March 26, 2014
Media [Sta	tute] Air		
	nator Farhaud Abbaszadeh		en de la companya de La companya de la co
Violation N			
Rule (	Cite(s) 30 Tex. Admin. Code §§ 101.201(b) 382.085(b), and Federal Operating	) and 122.143(4), Tex. Health & Safety Permit ("FOP") No. O2961, Special Terr	Code §
	Condition	ons ("STC") No. 2F	
Violation Desci	Failed to submit a final report for i	Incident No. 194555 no later than two we ent. Specifically, the final report was du	reeks
Troidtion Desc.	March 8, 2014, but was	not submitted until March 11, 2014.	e uy
		Race I	Penalty \$25,000
		er i de la companya del companya de la companya del companya de la	\$23,000
> Environmental, P	Toperty and Human Health Matri Harm	XIIIII III III III III III III	
R R	elease Major Moderate Mind		
OR <sub>i</sub> ,	Actual		
· programma en programme	otential	Percent 0.0%	9 (1987)
>Programmatic Ma	trix:		
Falsifi	cation Major Moderate Mind		
		Percent 1.0%	en e
Matrix Notes	The Respondent met at least 70	0% of the rule requirement.	
t gad on proceedings		Adjustment \$	24,750
		adasment \$	24,730]
200 (100 (100 (100 (100 (100 (100 (100 (		and the state of t	\$250
iolation Events			
B1	han of Violation 5		
Num	ber of Violation Events 1	3 Number of violation day	'S
	daily -		
ratio	weekly		
mark or		Violation Base P	enalty \$250
with	semiannual	Violation base F	enaity
	* annual		
	single event x		
	One single event is	recommended.	
ood Faith Efforts to	Comply 10.0%	Dan	uction \$25
	Before NOE/NOV NOE/NOV	V to EDPRP/Settlement Offer	723
	Extraordinary		**************************************
	Ordinary		одичальны
	N/A (mark with	completed corrective actions by	
		fter the December 18, 2014 Notice	
		of Enforcement.	
	•		
		Violation Su	btotal \$225
onomic Benefit (EF	I) for this violation	Statutory Limit Te	st
E,	stimated EB Amount		
		\$0 Violation Final Penalty	
	This violation Fir	nal Assessed Penalty (adjusted for li	mits) \$238

	E	conomic	Benefit	Wo	rksheet		
Respondent	Enbridge G & I	P (East Texas) L.P	. (Pittsbur	g Gas I	Plant)		
Case ID No.						124	
Rea. Ent. Reference No.	RN100223783					14 144 - 1	
Media	8						Years of
Violation No.	8					Percent Interest	Depreciation
7.0.0	-				•	5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description				• • • • •			
Lem vesa /puo.	nu commas un #	an in the Assessment of the	A Barga and Co		V		
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				00.00	\$0.	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	Mild of the second	\$0
Record Keeping System				0.00	\$0		\$0
Training/Sampling				0.00	\$0		\$0
Remediation/Disposal				0.00	\$0		\$0
Permit Costs				0.00			\$0
Other (as needed)	\$250	8-Mar-2014	11-Mar-2014	0.01	\$0	1966 (1972)	\$0
Notes for DELAYED costs		in Violation No. 1	of the accomp	anying		194555, and the Edequired is the date of t	
Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enterir	ng item (except	for one-time avoid	led costs)
Disposal		33333		0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
	1.075 (Add 11.04.0) (15.55 (Add 10.56))			0000	\$0	l \$0 l	
Supplies/Equipment	2896 3996 (2010 ACCC) 11 ACC			0.00			\$0
Supplies/Equipment Financial Assurance [2]				0.00	\$0	\$0	\$0 \$0
					\$0 \$0	\$0 \$0	\$0 \$0 \$0
Financial Assurance [2]				0.00	\$0	\$0	\$0 \$0
Financial Assurance [2] ONE-TIME avoided costs [3]				0.00	\$0 \$0	\$0 \$0	\$0 \$0 \$0

Screening Date 1 Respondent E	4-Jan-2015 nbridge G & P (East Texas) L.P.	Docket No. 2015-0062-AIR-E (Pittsburg Gas Plant)	PCW Policy Revision 4 (April 2014)
Case ID No. 4 Reg. Ent. Reference No. R		and the China and Santa and Santa.	PCW Revision March 26, 2014
Media [Statute] A Enf. Coordinator F	ir		
Violation Number Rule Cite(s)	2		
and Alexander See	Safety Code § 382.085(b), FOP I	(b)(2)(F) and (c) and 122.143(4), Tex. He No. O2961, STC No. 7, and New Source Re	
	Failed to prevent unauthorized er	86, Special Conditions No. 1 missions. Specifically, the Respondent rele	
	sulfide from the Sulfur Recovery	ur dioxide ("SO2") and 122.82 lbs of hydro Unit Thermal Oxidizer, Emissions Point Nu	mber
Violation Description	and 408.94 lbs of SO2 from the E	of carbon monoxide, 2.76 lbs of nitrogen of the common property of t	ng an
	3 hours. This event occurred whe	555) that began on February 21, 2014 and the Plant experienced an emergency sh	utdown
	submitted late, the Respondent is	ontroller ("PLC") error. Since the final rep- precluded from asserting an affirmative do x. Admin. Code § 101.222.	
	unioer 50 re		enalty \$25,000
>> Environmental, Propert	y and Human Health Matr		#25,000
Release	Harm	nor	The same of the sa
OR Actual Potential	X	Percent 30.0%	
>>Programmatic Matrix Falsification	Major Moderate Mir	nor	
		Percent 0.0%	The second secon
not exceed leve	or the environment has been expo	sed to significant amounts of pollutants whallthe or environmental receptors as a result	ich do
Notes	violat		
		Adjustment \$	17,500
			* \$7,500
Violation Events			
Number of Vid	plation Events 1	1 Number of violation day	<b>'S</b>
	daliy		<b>титичники</b>
mark only one with an x	monthly X X quarterly	Violation Base P	enalty \$7,500
	semiannual annual annual		
	single event	•	
	One monthly event	is recommended.	
Good Faith Efforts to Comp	y 25.0%	*** Rec	uction \$1,875
		OV to EDPRP/Settlement Offer	
020000	Ordinary x (mark w	ith v)	
	The Responden	t completed corrective actions on	
enthern elektron elek		4, prior to the December 18, 2014 tice of Enforcement.	
		Violation Su	btotal \$5,625
Economic Benefit (EB) for t	his violation	Statutory Limit Te	st <sub>ar de</sub> and a state of
Estimated	EB Amount	\$1 Violation Final Penalty	Total \$6,000
	This violation	Final Assessed Penalty (adjusted for l	mits) \$6,000

\$ 4

	Ec	conomic	Benefit '	Wor	rksheet -		
Respondent	Enbridge G & F	P (East Texas) L.P	. (Pittsbur	g Gas F	Plant)	344	
Case ID No.							
Reg. Ent. Reference No.					30		V-2
Media Violation No.						Percent Interest	Years of Depreciation
. Violation No.	2					5.0	15
	Thom Cock	Date Required	Final Date	Ver	Totorost Sayed	Onetime Costs	EB Amount
Item Description		Date Required	rillai Date.	115	Interest Saveu	Offetime Costs	CD Amount
item bescription	NO COMINAS OF S						
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	<u>\$0</u>
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0		\$0
Record Keeping System				0.00	\$0		\$0
Training/Sampling				0.00	\$0		\$0
Remediation/Disposal				0.00	\$0		\$0
Permit Costs	440.000	24 5-6 2044	22 5-4 2014	0.00			\$0 \$1
Other (as needed)	\$10,000	21-Feb-2014	22-Feb-2014	0.001	<u> 31 i</u>		<b>31</b>
	Estimated co	st to troubleshoot	and correct the	PLC e	rror in order to pre	event the recurrenc	e of emissions
Notes for DELAYED costs	events due	to the same caus	es as Incident N	o. 194	555. The Date Re	quired is the date t	he emissions
		event	began. The Fir	al Date	e is the date of cor	npliance.	
_							
Avoided Costs	ANNUAL	IZE [1] avoided	costs before	***************************************		or one-time avoid	
Disposal				0.00	\$0	<u>\$0</u>	\$0
Personnel				0.00	<u>\$0</u>	\$0 \$0	\$0 \$0
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Financial Assurance [2]				0.00	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs [3]				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				10.001	<u> </u>		<del>30</del>
Notes for AVOIDED costs	53.35						
		<u> </u>					: ,
Approx. Cost of Compliance	1	\$10,000			TOTAL		\$1
· · · · · · · · · · · · · · · · · · ·					na na sanana da		

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# Compliance History Report

PUBLISHED Compliance History Report for CN603573817, RN100223783, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, CN603573817, Enbridge G & P (East

Classification: SATISFACTORY

Rating: 1.81

or Owner/Operator: Regulated Entity:

Texas) L.P.

RN100223783, PITTSBURG GAS PLANT

Classification: SATISFACTORY

Rating: 0.44

**Complexity Points:** 

Repeat Violator: NO

CH Group:

03 - Oil and Gas Extraction

Location:

1088 COUNTY ROAD 1140 PITTSBURG, TEXAS 75686-5728, CAMP COUNTY

TCEQ Region:

REGION 05 - TYLER

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER CE0005V

**AIR NEW SOURCE PERMITS REGISTRATION 71046** AIR NEW SOURCE PERMITS AFS NUM 4806300002

AIR NEW SOURCE PERMITS REGISTRATION 90652

**AIR NEW SOURCE PERMITS REGISTRATION 105739 INDUSTRIAL AND HAZARDOUS WASTE OTS REQUEST** 

36625

**AIR OPERATING PERMITS PERMIT 2961** 

**AIR NEW SOURCE PERMITS ACCOUNT NUMBER CE0005V** 

**AIR NEW SOURCE PERMITS PERMIT 8986** 

**AIR NEW SOURCE PERMITS REGISTRATION 104627** 

**AIR EMISSIONS INVENTORY** ACCOUNT NUMBER CE0005V

Compliance History Period: September 01, 2009 to August 31, 2014

Rating Year: 2014

**Rating Date:** 09/01/2014

Date Compliance History Report Prepared: January 09, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 09, 2010 to January 09, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Farhaud Abbaszadeh

Phone: (512) 239-0779

#### Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period?

YES NO

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

3) If **YES** for #2, who is the current owner/operator?

N/A

4) If YES for #2, who was/were the prior

N/A

owner(s)/operator(s)?

5) If **YES**, when did the change(s) in owner or operator N/A

occur?

# Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

**B.** Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1

February 01, 2010

(788818)

Item 2

March 23, 2010

(796559)

Item 3

March 30, 2010

(796535)

Item 4	April 21, 2010	(796567)
Item 5	May 28, 2010	(824981)
Item 6	July 19, 2010	(829867)
Item 7	September 30, 2010	(864430)
Item 8	October 04, 2010	(864495)
Item 9	March 14, 2011	(901722)
Item 10	March 25, 2011	(906318)
Item 11	March 31, 2011	(906521)
Item 12	April 05, 2011	(908310)
Item 13	April 14, 2011	(908359)
Item 14	April 25, 2011	(908395)
Item 15	May 03, 2011	(913621)
Item 16	May 06, 2011	(913701)
Item 17	June 07, 2011	(921473)
Item 18	June 14, 2011	(922817)
Item 19	June 15, 2011	(922787)
Item 20	June 17, 2011	(924180)
Item 21	June 22, 2011	(924426)
Item 22	June 27, 2011	(933414)
Item 23	July 13, 2011	(936408)
Item 24	July 26, 2011	(940922)
Item 25	August 11, 2011	(941230)
Item 26	August 30, 2011	(941194)
Item 27	September 19, 2011	(950884)
Item 28	December 14, 2011	(969214)
Item 29	January 10, 2012	(976344)
Item 30	January 26, 2012	(974501)
Item 31	January 27, 2012	(980418)
Item 32	February 06, 2012	(982409)
Item 33	February 17, 2012	(982639)
Item 34	May 07, 2012	(1002163)
Item 35	May 21, 2012	(1003113)
Item 36	July 03, 2012	(1006540)
Item 37	July 25, 2012	(1015893)
Item 38	November 20, 2012	(1036476)
Item 39	December 04, 2012	(1045864)
Item 40	March 11, 2013	(1060491)
Item 41	March 22, 2013	(1060549)
Item 42	March 28, 2013	(1045881)
Item 43	June 10, 2013	(1094085)
Item 44	February 04, 2014	(1144821)
Item 45	February 26, 2014	(1145072)
Item 46	March 10, 2014	(1152740)
Item 47	October 28, 2014	(1198321)
Item 48	November 14, 2014	(1167055)

#### E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

Date: 01/28/2014 (1121572)

CN603573817

Self Report? NO

NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Special Terms and Conditions 2 OP

Description: Failure to submit an emissions event notification within 24 hours of discovery of

incident 187441.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Special Condition 1 PERMIT Special Terms and Conditions 10(B) OP

Special Terms and Conditions 2 OP

Description: Failure to maintain an emission rate below the allowable emission limit for

incident 187441.

#### F. Environmental audits:

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

**Sites Outside of Texas:** 

N/A



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEWAS COMMUNICATION ON
ENBRIDGE G & P (EAST TEXAS)	§	TEXAS COMMISSION ON
L.P.	§	
RN100209477 AND RN100223783	§	ENVIRONMENTAL QUALITY

#### AGREED ORDER DOCKET NO. 2015-0062-AIR-E

#### I. JURISDICTION AND STIPULATIONS

- 1. The Respondent owns and operates a natural gas treating facility located at 2186 State Highway 300 in Gilmer, Upshur County, Texas (Indian Rock Gas Plant) and a natural gas treating facility located at 1088 County Road 1140 in Pittsburg, Camp County, Texas (Pittsburg Gas Plant) (collectively, the "Plants").
- 2. The Plants consist of one or more sources as defined in Tex. Health & Safety Code § 382.003(12).
- 3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 4. The Respondent received notices of the violations alleged in Section II ("Allegations") on or about December 23, 2014.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

- 6. An administrative penalty in the amount of Nine Thousand Two Hundred Seventy-Five Dollars (\$9,275) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Seven Thousand Four Hundred Twenty-One Dollars (\$7,421) of the administrative penalty and One Thousand Eight Hundred Fifty-Four Dollars (\$1,854) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.
- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
- 9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plants:
  - a. On February 22, 2014, corrected the Programmable Logic Controller ("PLC") error in order to prevent a recurrence of emissions events due to the same cause as Incident No. 194555;
  - b. On March 6, 2014, purchased and installed a new heater in order to prevent a recurrence of emissions events due to the same cause as Incident No. 195115;
  - c. By March 26, 2014, submitted the final emissions event reports for Incident Nos. 194555 and 195115; and
  - d. By January 19, 2015, reviewed 30 TEX. ADMIN. CODE §§ 101.201 and 101.211 with appropriate staff and obtained signatures upon completion of review, and created an internal spreadsheet to monitor the status of State of Texas Environmental Electronic Reporting System submittals to provide a due date for a final report.
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

#### II. ALLEGATIONS

As owner and operator of the Plants, the Respondent is alleged to have:

- 1. Failed to submit a final report for Incident No. 195115 no later than two weeks after the end of the emissions event that occurred at the Indian Rock Gas Plant, in violation of 30 Tex. Admin. Code §§ 101.201(b) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit ("FOP") No. O3155, Special Terms and Conditions ("STC") No. 2F, as documented during a record review conducted on November 14, 2014. Specifically, the final report was due by March 20, 2014, but was not submitted until March 26, 2014.
- 2. Failed to prevent unauthorized emissions at the Indian Rock Gas Plant, in violation of 30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. O3155, STC No. 8, and New Source Review ("NSR") Permit Nos. 24450 and PSDTX1002, Special Conditions ("SC") No. 1, as documented during a record review conducted on November 14, 2014. Specifically, the Respondent released 3,228.65 pounds ("lbs") of sulfur dioxide ("SO2"), 34.33 lbs of hydrogen sulfide ("H2S"), 18.68 lbs of carbon monoxide ("CO"), and 8.99 lbs of nitrogen oxides ("NOx") from the High Pressure Flare, Emissions Point Number ("EPN") FLR2, during an emissions event (Incident No. 195115) that occurred on March 6, 2014 and lasted seven hours and 45 minutes. This event occurred when sulfur emissions were routed to the flare as the result of an electric heater failure in the Sulfur Recovery Unit. Since the final report was submitted late, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.
- 3. Failed to submit a final report for Incident No. 194555 no later than two weeks after the end of the emissions event that occurred at the Pittsburg Gas Plant, in violation of 30 Tex. Admin. Code §§ 101.201(b) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and FOP No. 02961, STC No. 2F, as documented during a record review conducted on November 12, 2014. Specifically, the final report was due by March 8, 2014, but was not submitted until March 11, 2014.
- 4. Failed to prevent unauthorized emissions at the Pittsburg Gas Plant, in violation of 30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. 02961, STC No. 7, and NSR Permit No. 8986, SC No. 1, as documented during a record review conducted on November 12, 2014. Specifically, the Respondent released 12,355.83 lbs of SO2 and 122.82 lbs of H2S from the Sulfur Recovery Unit Thermal Oxidizer, EPN THERMOX, and 5.75 lbs of CO, 2.76 lbs of NOx, and 408.94 lbs of SO2 from the Emergency Plant Flare, EPN FLAREVT, during an emissions event (Incident No. 194555) that began on February 21, 2014 and lasted 23 hours. This event occurred when the Plant experienced an emergency shutdown related to a PLC error. Since the final report was submitted late, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

#### III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

#### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Enbridge G & P (East Texas) L.P., Docket No. 2015-0062-AIR-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plants' operations referenced in this Agreed Order.
- 3. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- This Agreed Order may be executed in separate and multiple counterparts, which 4. together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

Enbridge G & P (East Texas) L.P. DOCKET NO. 2015-0062-AIR-E Page 5

5. Under 30 Tex. Admin. Code § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier.

Enbridge G & P (East Texas) L.P. DOCKET NO. 2015-0062-AIR-E Page 6

Enbridge G & P (East Texas) L.P.

## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
Panno Maure Tror the Executive Director	6/24/15 Date
I, the undersigned, have read and understand the agree to the attached Agreed Order on behalf of the do agree to the terms and conditions specified the accepting payment for the penalty amount, is mat	he entity indicated below my signature, and I erein. I further acknowledge that the TCEQ, in
and	may result in: as submitted; cal's Office for contempt, injunctive relief, or to a collection agency; nent actions; l's Office of any future enforcement actions;
• TCEQ seeking other relief as authorized by In addition, any falsification of any compliance do	y law. ocuments may result in criminal prosecution.
Mulition was	3/5/15
HARLES W. KAIBORN HI	GENERAL MANAGER
Name (Printed or typed) Authorized Representative of	Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.